

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 8-18 are currently pending in the present application; Claims 1-7 were previously canceled; Claims 8, 9, 11, 13, and 14 are amended by the present amendment; and Claims 15-18 are added. Support for the amendments and the added claims is found at least in the originally filed claims and the originally filed specification at page 2, line 29 to page 3, line 11. Thus, no new matter is added.

Initially, Applicants note the IDS received by the United States Patent and Trademark Office on December 8, 2004, does not have reference AP acknowledged as considered. Applicants respectfully request acknowledgement of consideration of the references in that IDS by providing Applicants with an initialed form PTO-1449 from that IDS.

In the outstanding Office Action, Claim 11 was objected to for an informality; Claims 13 and 14 were rejected under 35 U.S.C. § 112, second paragraph; Claims 8, 9, and 12-14 were rejected under 35 U.S.C. § 102(b) as anticipated by Nichols et al. (U.S. Patent No. 6,369,755, hereafter "Nichols"); and Claims 10 and 11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nichols in view of Pippin (U.S. Patent No. 6,278,402).

In response to the objection to Claim 11, Claim 11 has been amended as suggested. Accordingly, the objection is believed to have been overcome. Therefore, it is respectfully requested that the objection to Claim 11 be withdrawn.

In response to the rejection of Claims 13 and 14 under 35 U.S.C. § 112, second paragraph, Claims 13 and 14 have been amended to better clarify the claimed subject matter. Accordingly, the rejection of Claims 13 and 14 is believed to be overcome. Therefore, it is respectfully requested that the rejection of Claims 13 and 14 under 35 U.S.C. § 112, second paragraph, be withdrawn.

In response to the rejection of Claims 8, 9, and 12-14 under 35 U.S.C. § 102(b) as anticipated by Nichols, Applicants respectfully traverse this rejection for the following reasons. Amended Claim 8 recites:

A tag placed in an environment to be measured,
comprising:

a plurality of reference markers configured together to
form a particular geometric pattern;

an electronic label including a memory loaded with
information describing the particular geometric pattern formed
by the plurality of reference markers and a remote information
communication mechanism.

Independent Claims 14, 15, and 17 include similar features. Therefore arguments made on behalf of Claim 8 also apply to Claims 14, 15, and 17.

Nichols describes a system comprising an instrument station 11, a mobile station 31, and optionally a remote station 26.¹ Nichols' instrument station measures distances in angular displacements of the mobile station.² Nichols uses two means for measurements using a wave issued from the instrument station, reflected by a marker 35 on the mobile station back to the instrument station, for measuring the travel distance and antennas 24, 41 connected to processors 21, 22, 37, and 39 and communicating with position satellites for obtaining the positions of the respective stations with respect to the satellites, then the relative position of the station.³ Nichols' marker 35 is not the same as the plurality of reference markers together forming a particular geometric pattern, as described in amended Claim 8. Further, Nichols fails to disclose an electronic label that includes a memory loaded with information describing the particular geometric pattern formed by the plurality of reference markers, as described in amended Claim 8. Nichols only uses one marker, therefore Nichols does not teach an arrangement of markers in a geometric pattern, as described in amended

¹ Nichols Figure 1.

² Nichols, col. 9, line 59 – col. 10, line 67.

³ Nichols, col. 6, line 51 – col. 9, line 30.

Claim 8. Because Nichols does not teach or suggest a plurality of reference markers, Nichols does not describe a plurality of reference markers together forming a particular geometric pattern, and does not describe an electronic label that includes a memory loaded with information describing the particular geometric pattern formed by the plurality of reference markers, Nichols fails to disclose every feature recited in Applicants' amended Claim 8.

Accordingly, Applicants respectfully submit that independent Claims 8, 14, 15, and 17, and claims dependent therefrom are allowable. Therefore it is respectfully requested that the rejection of Claims 8, 9, and 12-14 under 35 U.S.C. § 103(b) as anticipated by Nichols be withdrawn.

In addition, Applicants respectfully traverse the rejection of Claims 8, 9, and 12-14 under 35 U.S.C. § 102(b) as anticipated by Nichols for the following reasons.

The Office Action asserts that Nichols' SATPS processor inherently has memory loaded with information describing the position of the station including its reflective marker.⁴ Applicants respectfully disagree because SATPS systems, as evidenced by the excerpt in Nichols' column 11, lines 1-6 and lines 46-52 describe the SATPS system as merely providing information from outside the stations that indicate the location of the antenna. The location of any other part of the mobile station cannot be found by the SATPS system, which considers the bodies it locates as mere points, merely because the satellites emitting the information do not know of anything on the stations they help to locate. Therefore, contrary to the claimed subject matter, Nichols' SATPS systems are inherently unable to recognize details about the object they locate beyond recognizing the object as one point. Therefore, Nichols does not describe a memory loaded with information describing a particular geometric pattern formed by the plurality of reference markers, as described in amended Claim 8. Because it is not inherent that Nichols' SATPS process inherently includes a

⁴Office Action dated December 6, 2005, page 3, lines 11-14.

memory loaded with information describing a particular geometric pattern formed by the plurality of reference markers, as described in amended Claim 8, Nichols fails to disclose every feature recited in Applicants' amended Claim 8.

Accordingly, Applicants respectfully submit that amended Claim 8 is allowable for this additional reason. Therefore it is respectfully dually requested that the rejection of Claims 8, 9, and 12-14 rejected under 35 U.S.C. § 102(b) as anticipated by Nichols be withdrawn.

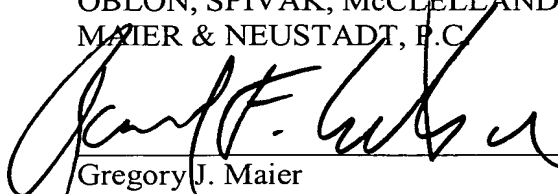
In response to the rejection of Claims 10 and 11 under 35 U.S.C. § 103(a) as unpatentable over Nichols in view of Pippin, Applicants respectfully traverse this rejection for the following reasons. As discussed above, Claim 8 is believed to be allowable. Claims 10 and 11 are based on Claim 8. Further it is respectfully submitted that Pippin does not supply the claimed features identified as deficient in Nichols.

It is therefore respectfully requested that the rejection of Claims 10 and 11 under 35 U.S.C. § 103(a) as unpatentable over Nichols in view of Pippin be withdrawn.

Consequently, in view of the foregoing discussion and present amendment, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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